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MEDICIS AESTHETICS, INC., MEDICIS PHARMACEUTICAL CORP.,
VALEANT PHARMACEUTICALS NORTH AMERICA LLC,
VALEANT PHARMACEUTICALS INTERNATIONAL,
VALEANT PHARMACEUTICALS INTERNATIONAL, INC., and GALDERMA
LABORATORIES, L.P.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ALLERGAN USA, INC., and
ALLERGAN INDUSTRIE, SAS.

Case No. 8:13-cv-01436 AG (JPRx)

v Plaintiffs,

**DECLARATION OF WILLIAM F.
CAVANAUGH IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION TO
STRIKE**

Date: June 22, 2015
Time: 10:00am
Ctrm: 10D
Judge: Hon. Andrew J. Guilford

MEDICIS AESTHETICS, INC.,
MEDICIS PHARMACEUTICAL
CORP., VALEANT
PHARMACEUTICALS NORTH
AMERICA LLC, VALEANT
PHARMACEUTICALS
INTERNATIONAL, VALEANT
PHARMACEUTICALS
INTERNATIONAL, INC., AND
GALDERMA LABORATORIES, L.P.

Defendants.

I, William F. Cavanaugh, declare as follows:

1. I am a member of the law firm Patterson Belknap Webb & Tyler LLP, attorneys for the Defendants in the above-captioned case. I am admitted to practice in the State of California.

2. Attached hereto as Exhibit A is a true and correct copy of excerpts of the expert report of Dr. Mary Lupo dated February 9, 2015.

3. Attached hereto as Exhibit B is a true and correct copy of excerpts of the expert report of Dr. Cory J. Berkland, Ph.D. dated February 17, 2015.

4. Attached hereto as Exhibit C is a true and correct copy of excerpts of the expert report of Vincent A. Thomas dated February 17, 2015.

5. On January 14, 2015, counsel for Defendants took the deposition under oath of Dr. Pierre Lebreton. Attached hereto as Exhibit D is a true and correct copy of excerpts of the official transcript of that deposition.

6. Attached hereto as Exhibit E is a true and correct copy of a meeting agenda bearing the Bates numbers AGNHA00217006-217015.

7. Attached hereto as Exhibit F is a true and correct copy of a presentation dated November 6, 2008 bearing the Bates numbers AGNHA00453817-453835.

8. Attached hereto as Exhibit G is a true and correct copy of email correspondence among Dr. Pierre Lebreton and others dated August 7, 2009 bearing the Bates numbers AGNHA00437444-437445

9. On January 22, 2015, counsel for Plaintiffs took the deposition under oath of Steven Newhard. Attached hereto as Exhibit H is a true and correct copy of excerpts of the official transcript of that deposition.

10. Attached hereto as Exhibit I is a true and correct copy of a Q-Med lab report bearing the Bates numbers QMED0005824-5831.

1 11. On April 7, 2015, counsel for Plaintiffs took the 30(b)(6)
2 deposition under oath of Per Lango. Attached hereto as Exhibit J is a true and correct
3 copy of excerpts of the official transcript of that deposition.

4 12. On April 17, 2015, counsel for Defendants took the deposition
5 under oath of Dr. Mary Lupo. Attached hereto as Exhibit K is a true and correct copy
6 of excerpts of the official transcript of that deposition.

7 13. Attached hereto as Exhibit L is a true and correct copy of *Beasley,*
8 *et al., Hyaluronic Acid Fillers: A Comprehensive Review*, Facial Plast Surg
9 2009;25(2):86-94 bearing the Bates numbers VAL0059968-59976.

10 14. Attached hereto as Exhibit M is a true and correct copy of excerpts
11 of the expert report of Dr. Glenn D. Prestwich, Ph.D dated February 17, 2015.

12 15. Attached hereto as Exhibit N is a true and correct copy of
13 Defendants' First Set of Requests for Admission, dated January 13, 2015.

14 16. Attached hereto as Exhibit O is a true and correct copy of
15 Plaintiffs' Responses and Objections to Defendants' First Set of Requests for
16 Admission, dated February 17, 2015.

17 17. Attached hereto as Exhibit P is a true and correct copy of
18 Defendants' Final Invalidity Contentions, dated February 17, 2015.

19 18. Attached hereto as Exhibit Q is a true and correct copy of excerpts
20 of the Rebuttal Report of Dr. Mark S. Nestor, M.D., Ph.D, dated March 23, 2015.

21 19. Attached hereto as Exhibit R is a true and correct copy of the
22 Affidavit of Julie Ann Santos, dated April 20, 2015.

23 20. Attached hereto as Exhibit S is a true and correct copy of
24 Defendants' Supplemental Response to Plaintiffs' Interrogatory No. 5, dated October
25 31, 2014.

1 21. Attached hereto as Exhibit T is a true and correct copy of an e-mail
2 from W. Schmedlin to L. Garner and E. Flanagan, dated November 14, 2014.

3 22. Attached hereto as Exhibit U is a true and correct copy of
4 Plaintiffs' First Set of Requests for Admission, dated December 8, 2014.

5 23. Attached hereto as Exhibit V is a true and correct copy of
6 Plaintiffs' Second Set of Request for Admission, dated January 8, 2015.

7 24. On December 17, 2014, counsel for Plaintiffs took the deposition
8 under oath of Vincent Ippolito. Attached hereto as Exhibit W is a true and correct
9 copy of excerpts of the official transcript of that deposition.

10 25. Attached hereto as Exhibit X is a true and correct copy of
11 Defendants' First Set of Interrogatories, dated February 3, 2014.

12 26. Attached hereto as Exhibit Y is a true and correct copy of
13 Plaintiffs' Responses and Objections to Defendants' First Set of Interrogatories, dated
14 March 10, 2014.

15 27. Attached hereto as Exhibit Z is a true and correct copy of
16 Plaintiffs' First Supplemental Responses and Objections to Defendants' Interrogatory
17 No. 3, dated January 6, 2015 (signature line mistakenly indicates January 6, 2014).

18 28. Attached hereto as Exhibit AA is a true and correct copy of
19 excerpts of the expert report of Dr. Gregory K. Bell, Ph.D., dated March 27, 2015.

20 I declare, under penalty of perjury, that the foregoing statements
21 are true and correct.

22
23 Dated: June 1, 2015

24 /s/ William F. Cavanaugh
25 William F. Cavanaugh
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